

United States District Court
Eastern District of California

Jose Alfredo Soto,

Petitioner,

vs.

D. Adams,

Respondent.

No. Civ. S 04-2122 MCE PAN P

Order

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June 2, 2005, the court found petitioner's habeas application contained both exhausted and unexhausted claims and gave him 60 days to file an amended petition containing only exhausted claims and a motion to hold this matter in abeyance.

July 25, 2005, petitioner filed an amended petition and a motion to hold this action in abeyance but a different prisoner purports to represent petitioner on the motion.

A party appearing pro se may not delegate his appearance to any other person. L.R. 83-183(a). Only an attorney admitted to

1 practice in this court who has appeared on petitioner's behalf
2 may represent petitioner and accept service of papers for him.
3 L.R. 5-137(b), 83-180(a), 83-182(a). Petitioner makes no showing
4 his "jailhouse lawyer" satisfies these requirements.

5 Accordingly, petitioner's July 25, 2005, motion is denied
6 without prejudice to petitioner filing a motion to stay this
7 action within 30 days of the date this order is signed.

8 So ordered.

9 Dated: November 22, 2005.

10 /s/ Peter A. Nowinski

11 PETER A. NOWINSKI
12 Magistrate Judge
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